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To: Mail Stop Amendment

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Time Sent: 3:37 PM

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Date: April 7, 2005

Re: 10/076,064 (our reference: 210145US00)

Comments:			
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8328131804 P.02/03

210145US00 10/076,064 Art Unit: 1714

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

. Hu Yang, et. al.

Serial Number

10/076,064

Filed

February 14, 2002

Examiner

Joseph D. Anthony

Group Art Unit

1714

For:

OXYGEN SCAVENGING COMPOSITIONS COMPRISING

POLYMERS DERIVED FROM BENZENEDIMETHANOL

MONOMERS

RESPONSE TO RESTRICTION REQUIREMENT DATED MARCH 9, 2005

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE 37 C.F.R. § 1.6(d)

I hereby certify that this paper is being fluctimile transmitted to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, faccional number 1-703-827-9306, on April 2005

and Trick

Rhonda Fairchild

Sir:

This paper is submitted in response to the Restriction Requirement dated March 9, 2005, for which the date for response is April 9, 2005.

The Applicants believe that no fee is due for filing this Office Action Response. If any fee under 37 C.F.R. § § 1.16 to 1.21 is required for any reason the Commissioner authorized to deduct said fee(s) from Chevron Phillips Chemical Company LP Deposit Account No. 50-1629.

In the Restriction Requirement, the Examiner stated that restriction was required to one of the following groups:

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Group	Claims	<u>Drawn To</u>
I	1-6	An oxygen scavenging composition
п	7-24	An oxygen barrier packaging article
Ш	25-32	A method of initiating oxygen scavenging

In response to the restriction requirement, Applicants elect to prosecute claims 7-24, i.e., the Group II claims. Applicants traverse the requirement on the following grounds. Although the inventions are distinct in light of the conditions given at MPEP §806.05(h), §806.04(b) and §806.04(h), Applicants respectfully submit there is no undue burden on the Examiner to search all groups as each group has the same limitation relating to "an oxygen scavenging polymer comprising structure I:

(I)
$$-(-X-R-X-O-CH_2-Ar-CH_2-O-)-$$

wherein -R- is selected from the group consisting of C₁-C₂₄ alkyl, C₁-C₂₄ substituted alkyl, C₆-C₂₄ aryl, and C₆-C₂₄ substituted aryl; -Ar- is selected from the group consisting of C₆-C₂₄ aryl, and C₆-C₂₄ substituted aryl; and -X- is selected from the group consisting of null and -C(=O)-."

The Examiner is invited to contact the undersigned patent attorney at (832) 813-4339 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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